Dear Commissioner Hamm – I serve as acting chair of the Statewide Homeless Council and was asked to reach out to you in hopes of ensuring our homeless system will continue to function effectively while incorporating a DHHS rule change due to take effect on January 1, 2019.  The Statewide Homeless Council has carefully deliberated the fee for service model and its effect on our two primary “wet” homeless shelters, those shelters serving people afflicted with substance use disorder (SUD) and experiencing homelessness.  These shelters are among our largest shelters in Maine, with one having 64 beds and the other having 41 beds.  Given the opioid crisis and its spillover into the homeless arena, these shelters are constantly full and serve a vital need for Maine.  They are keeping extremely vulnerable people alive, and helping people afflicted with this disease to move from active use while homeless, to recovery and stability in housing within the community.  These shelters are helping people move from acute crises to productive stable lives.

The DHHS rule change appears to be a well-intentioned effort to move this part of the safety net into a fee for service model where money follows the person, a move away from the cost settled agreement model which preceded it.  These SUD homeless shelters are both low-barrier models, and operate as an integral part of our homeless shelter network.  As such, any potentially jeopardizing changes to that part of the system will have serious repercussions around our entire homeless shelter network and homeless system.  In short, the proposed change is very concerning, but a solution is readily at hand, and I write to offer that to you today.

There is consensus among the two low-barrier SUD homeless shelters that a fee for service model can work effectively, as long as the fees match the cost of providing the level of care needed, so this portion of the rule change seems achievable.  There is obvious common ground in seeing that money follows the person in need; wraparound services can be an effective working model for homeless populations.  However, converting both homeless shelters to PNMIs seems to be an unsurmountable impediment.

As such, the Statewide Homeless Council offers the following solution, which was agreed to unanimously by the Council this week (with two abstentions):

                The Statewide Homeless Council encourages the State of Maine to allow substance use disorder shelter-based personal care services to be billed under MaineCare as a fee for service.  We ask that you please reconsider the implications of Section 97 as a billing source.  Federal requirements of bed limits (due to the Olmstead Act) for PNMI facilities would exclude larger shelters from qualifying as PNMIs, yet this does not preclude the need for these services in homeless shelters.

                The Statewide Homeless Council recommends setting up a different chapter of MaineCare for fee for service delivery of these vital services to homeless populations.

The Statewide Homeless Council was established in 2005, replacing the Interagency Task Force on Homelessness and Housing Opportunities.  The authorizing legislation was amended in 2008 to expand the council's advisory role and to add additional members to the council.  The purpose of the council is to serve as an advisory committee to the Maine State Housing Authority, the Governor, the Legislature, the Maine Department of Health and Human Services (DHHS) and the Maine Department of Corrections (DOC) on homeless matters.  The council is charged with providing leadership to end homelessness and providing support to the regional homeless councils; educating people on homeless issues; serving as coordinator of information; assessing statewide needs; identifying potential resources; providing assistance to people who are homeless by identifying resources and improving access to them; and reviewing, monitoring and implementing plans to end homelessness.

Thank you for your careful consideration, and please let me know if I can provide any additional information that would be helpful.  Cullen

Cullen Ryan, Executive Director

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